# TERRITORY OF GUAM CRIMINAL MINUTES TRIAL

CASE NO.: CR-08-00004 DATE: June 12, 2008

HON. FRANCES M. TYDINGCO-GATEWOOD, Chief Judge, Presiding
Law Clerk: Sara Weber Court Reporter: Wanda Miles

Courtroom Deputy: Carmen B. Santos Electronically Recorded: 9:08:06 - 10:38:42

10:59:04 - 12:01:00 1:31:40 - 2:40:20 2:55:02 - 4:25:55

**APPEARANCES:** 

Defendant: Eun Young Lee Attorney: Richard Arens

Mark Smith
John Duenas
Mary Garcia
Joseph Pangelinan
Francisco Kawamoto

Mark Smith
Cynthia Ecube
Leilani Lujan
Louie Yanza
Stephanie Flores

Francisco Kawamoto Stephanie Flores
Margaret Untalan Rawlen Mantanona

✓ Present □ Custody □ Bond □ P.R.
✓ Present ☑ Retained ☑ FPD ☑ CJA

U.S. Attorney: Karon Johnson U.S. Agent: K. Klocke, FBI

U.S. Probation: None Present

Interpreter: Language:

#### **PROCEEDINGS: Jury Trial - Day 4**

- Witnesses sworn and examined; exhibits marked and admitted see attached Exhibit and Witness List, AO Form 187 (and 187a, when applicable).
- Jurors instructed to report back on: June 13, 2008 at 8:45 a.m.
- Jury Trial (Day 5) continued to: June 13, 2008 at 9:00 a.m.

Notes:

## UNITED STATES DISTRICT COURT

DISTRICT OF GUAM
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### **United States of America**

## **EXHIBIT AND WITNESS LIST**

Case Number: CR-08-00004

V.

EUN YOUNG LEE,

PRESIDING JUDGE  FRANCES M. TYDINGCO-GATEWOOD						PLAINTIFF'S ATTORNEY  KARON JOHNSON	DEFENDANT'S ATTORNEY RICHARD ARENS, MARK SMITH, CYNTHIA ECUBE, LEILANI LUJAN, LOUIE YANZA, STEPHANIE	
							FLORES, RAWLEN MANTANONA	
HEAR	HEARING DATE (S)					COURT REPORTER	COURTROOM DEPUTY	
JUNE 9, 10, 11, 12, 2008						WANDA MILES	CARMEN B. SANTOS	
JOINT NO.	JOINT PLTF DEF. DATE DATE ADMITTE					DESCRIPTION OF	EXHIBITS* AND WITNESSES	
						6/9/08 - Day 1 - Commence trial; or	pening instructions; reading of indictment;	
						opening statements given		
						1:34:00 - Frank Blaz called and sw	orn	
						DX by Ms. Johnson		
	1		6/9/08	6/9/08	6/9/08	1:56:50 - Exhibit 1 pages 1-24 offer	ed and admitted	
			6/9/08		0,7,00		red by Government; Objections made.	
			0,7,00			2:25:15 - CX by Ms.Lujan - Exhibit		
						2:32:00 - Re-DX by Ms. Johnson	3 05, 01, 05, 00, 07	
						2:39:04 - Re-CX by Ms. Lujan		
						2:40:55 - CX by Mr. Mantanona - Exhibits 48, 49, 50, 51		
						2:45:00 - Re-DX by Ms. Johnson - Exhibits 46, 47-51		
						2:46:57 - Re-CX by Mr. Mantanona - Exhibits 49, 50, 51		
						2:47:41 - Jurors excused - 15 minutes recess		
						2:54:15 - Re-CX by Ms. Lujan -		
						3:02:05 - 5 minute recess		
						3:15:59 - Court resumes session		
						3:21:02 - Jurors excused - 15 minute		
						3:27:30 - Government withdraws qu	estioning as to copies of exhibits.	
						3:32:15 - Re-DX by Ms. Johnson		
						3:33:00 - Originals of exhibits 9, 10	and 17 to 67 offered.	
<u> </u>						3:33:09 - CX by Mr. Yanza		
						3:40:45 - Government renews offer of exhibits		
-			ļ	ļ		3:41:17 - Re-CX by Ms. Lujan		
-						3:52:00 - Re-DX by Ms. Johnson		
<u> </u>						3:56:41 - Renew offer of original Exhibits 9, 10 and 17 to 67 356:55 - CX by Ms. Flores		
							of Evhibits 9, 10 and 17 through 67	
						4:13:07 - Government renews offer of Exhibits 9, 10 and 17 through 67 4:14:38 - CX by Ms. Ecube		
1						4:31:39 - Jurors excused for the day		
							lay; request to reconvene 6/10/2008 at 9:00	
						a.m.	, , q to 100011.0110 to 10, 2000 th 9.00	
						4:40:40 - End Day 1		
						9:05:31 - Begin Day 2 - June 10, 20	08	
						9:10 - Witness <b>Frank Blaz</b> seated		

NAME   NAME   DATE	FF				O-GATEW	OOD	PLAINTIFF'S ATTORNEY  KARON JOHNSON  COURT REPORTER	DEFENDANT'S ATTORNEY RICHARD ARENS, MARK SMITH, CYNTHIA ECUBE, LEILANI LUJAN, LOUIE YANZA, STEPHANIE FLORES, RAWLEN MANTANONA COURTROOM DEPUTY	
DESCRIPTION OF EXHBITS' AND WITNESSES   DESC	1112711				2. 2008				
9-12   Continued CX by Ms. Ecube   9:27   - CX by Mr. Smith   10:31:00   Red.DX by Ms. Johnson   10:33:41   Jurors excused - 15 minutes recess   11:04:05   Court recess   11:04:05   Court recess   11:23:05   Court recess   11:20:00:00   1:24:56   Lunch Recess   11:20:00:00   1:24:105   Court received   1:25:65   Court received		PLTF	DEF.	DATE	DATE				
	NO.	NO.	NO.	OFFERED	IDENTIFIED	D	0.12 Continued CV by Ma Fau	1	
1031:00 - Re-DX by Ms. Johnson   1033:41 - Juros excused + 15 minutes recess   11:03:55 - Court recess   11:03:55 - Court recess   11:03:55 - Court recess   11:03:55 - Re-CX by Ms. Lajan   12:00:00 - 1:24:56 - Lanch Recess   12:00:00 - 1:24:56 - Lanch Recess   12:00:00 - 1:24:56 - Lanch Recess   13:00 - 1:24:56 - Lanch Recess   14:10 - 1:20	-							ibe	
	-								
	-							ites recess	
								nes recess	
1:37:59 - Re-CX by Ms. Lujan   12:000 - 1:24:55 - Lunch Recess   12:000 - 1:24:55 - Lunch Recess   1:300 - 1:3								reak - return by 1:15 p.m.	
9-10								, i	
17-   67									
67						6/10/08	1:30 - Exhibits 9, 10		
1.41:15 - Frank Blaz seated   1:58:56 - CX by Mr. Mantanona   1 - 1				6/9/08	6/9/08	6/10/08	Exhibits 17 through 67 conditionally	y admitted	
1-1							1:41:00 - Jurors re-enter		
1-1									
1-2									
1-3									
1-4									
1-5									
1-6	-								
1.1   1.1							11 GCA § 1107		
1-14					0/10/08		11 GCA 8 3101		
1-14							11 OCA § 3101		
1-15					6/10/08		12/27/89 Memorandum from Direct	or's Assistant Joaquin L.G. Diego	
1-20								1	
1-20							12/5/89 Attorney General Opinion		
1-20					6/10/08		6/2/97 Memorandum from Departm	ent of Revenue and Taxation, Administrator	
1-22		1-20						,	
1-22		1-21			6/10/08				
1-23		1-22			6/10/08			tment of Revenue and Taxation,	
U-P Of 10/08					5/4 C /2 C			0.00	
Revenue and Taxation - offered and admitted without objection  U-P		1-23		6/10/00					
156				6/10/08		6/10/08	Revenue and Taxation - offered and	admitted without objection	
U-P   159   6/10/08   page 159 - 11/7/02 Acknowledge Receipt					6/10/08			from Department of Revenue and Taxation,	
159					5/4 C /2 C		Administrator Maria C. Flores		
248			159				page 159 - 11/7/02 Acknowledge Re	eceipt	
U-P   246-   247					6/10/08		Internal Revenue Service Individual	Taxpayer Identification Notice	
3:00:00 - 3:21:12 - Afternoon break   3:22:05 - Jurors seated   3:22:15 - Continued CX by Mr. Mantanona   9-1   6/10/08   MVD file for Sang Mee Chun   U-M   6/10/08   6/10/08   Driver's License Examiner I - offered and admitted without objection			U-P 246-		6/10/08			e webpage regarding Individual Taxpayer	
3:22:05 - Jurors seated   3:22:15 - Continued CX by Mr. Mantanona   9-1   6/10/08   MVD file for Sang Mee Chun   U-M 6/10/08   6/10/08   Driver's License Examiner I - offered and admitted without objection									
3:22:15 - Continued CX by Mr. Mantanona  9-1									
9-1									
U-M 6/10/08 6/10/08 Driver's License Examiner I - offered and admitted without objection		0.1			6/40/00			ntanona	
		9-1	11.3.4	C/10/00		C/10/00		d and admissed unish and all trades	
			U-M U-N		6/10/08				

FR		ES M. T		O-GATEW	OOD .	PLAINTIFF'S ATTORNEY  KARON JOHNSON	DEFENDANT'S ATTORNEY RICHARD ARENS, MARK SMITH, CYNTHIA ECUBE, LEILANI LUJAN, LOUIE YANZA, STEPHANIE FLORES, RAWLEN MANTANONA
HEAR	ING D	OATE (S	)			COURT REPORTER	COURTROOM DEPUTY
		JUNE 9	9, 10, 11, 1	2, 2008		WANDA MILES	CARMEN B. SANTOS
JOINT NO.	JOINT PLTF DEF. DATE DATE ADMITTE					DESCRIPTION OF	FEXHIBITS* AND WITNESSES
		U-O	6/10/08	6/10/08		Driver's License Examiner III - offe	ered and admitted without objection
			0 0. 0 0	0, 20, 00	0, 20, 00	3:41:39 - CX by Ms. Flores	
	9-1			6/10/08		MVD file for Sang Mee Chun	
						3:55:00 - CX by Mr. Yanza	
	9-1			6/10/08		MVD file for Sang Mee Chun	
	10			6/10/08		MVD file for Mike Park	
		M	6/10/08	6/10/08	6/10/08	Computer Printout - offered and ad	mitted without objection
		M898		6/10/08		computer printout	<i>'</i>
		M899		6/10/08		computer printout	
		M900		6/10/08		computer printout	
		M901		6/10/08		computer printout	
		M902		6/10/08		computer printout	
						4:22:30 - jurors excused for the day	7
						4:23:40 - End Day 2	
						9:00:43 - Begin Day 3 - June 11, 20	008
						9:07:08 - Witness Frank Blaz seate	
						9:07:46 - Jurors seated	
						9:08:25 - CX by Ms. Lujan	
		U-W	6/11/08	6/11/08	6/11/08		uirement for Driver's License/Assignment of
		U-W			6/11/08	ITIN - offered and admitted withou	
		U-U	6/11/08	6/11/08	6/11/08	Assignment of ITIN Number - Exhibition	ibit U-U offered and admitted without
		U-P		6/11/08			from Department of Revenue and Taxation,
		156				Administrator Maria C. Flores	,
	63			6/11/08		MVD file for - Kil Ja Lee	
	65			6/11/08		MVD file for - Jin Woo Park	
	64			6/11/08		MVD file for - Keun Seok Bang	
	66			6/11/08		MVD file for - Kyung Ja Park	
	67			6/11/08		MVD file for - Jum Soo Park	
						10:29:10 - Jurors excused - 15 minu	ites recess
						10:29:15 - Witness Blaz seated	
						10:51:45 - Jurors seated	
						10:52:15 - CX by Ms. Ecube	
	1-21			6/11/08		Memorandum	
	53			6/11/08		MVD file for - Ha Young Kim	
		U-M		6/11/08		Driver's License Examiner I Job Do	
		U-N		6/11/08		Driver's License Examiner II Job D	Description
		U-O		6/11/08		Driver's License Examiner III Job l	Description
	67-8			6/11/08		Computer printout	
	54			6/11/08		MVD file for - You Soon Kim	
	55			6/11/08		MVD file for - Sang C. Ryu	
	56			6/11/08		MVD file for - Jeong Min Ham	
						11:47:52 - CX by Mr. Arens	
		U-U		6/11/08		Assignment of ITIN Number	
	16-2			6/11/08		Photocopy of ITIN notification	
						11:56:06 - Jurors excused - lunch b	reak - return by 1:15 p.m.
						12:05:00 - 1:34:39 - Lunch recess	
						1:34:39 - Witness Blaz seated	
						1:35:30 - Jurors seated	
						1:38:30 - CX by Mr. Smith	

FR				O-GATEW	OOD	PLAINTIFF'S ATTORNEY  KARON JOHNSON  COURT REPORTER	DEFENDANT'S ATTORNEY RICHARD ARENS, MARK SMITH, CYNTHIA ECUBE, LEILANI LUJAN, LOUIE YANZA, STEPHANIE FLORES, RAWLEN MANTANONA COURTROOM DEPUTY	
		JUNE	9, 10, 11, 1	2, 2008		WANDA MILES	CARMEN B. SANTOS	
JUNE 9, 10, 11, 12, 2008							F EXHIBITS* AND WITNESSES	
110.		110.	OTTERED		D	MAND Cit. Co., Co., Min Cities		
	17			6/11/08		MVD file for - Sung Min Shing		
-	18 19			6/11/08 6/11/08		MVD file for - Ki Choel Han		
	20			6/11/08		MVD file for - Jung Soo Yang MVD file for - Young Min Ko		
-	21			6/11/08		MVD file for - Geun Jae Lee		
	22			6/11/08		MVD file for - Seung Pill Choi		
	23			6/11/08		MVD file for - Dong Pyo Hong		
	28			6/11/08		MVD file for - Jun Sung Min		
	29			6/11/08		MVD file for - Hae Sook Kang		
	30			6/11/08		MVD file for - Jae Min Lee		
	31			6/11/08		MVD file for - Tae Kwun Jung		
	32			6/11/08		MVD file for - Won Il Ko		
	36			6/11/08		MVD file for - Jae Hoan Seok		
	35			6/11/08		MVD file for - Myung Sug Kim		
	25			6/11/08		MVD file for - Deuk Soon Choi		
						3:04:00 - Jurors excused - 15 minute recess		
						3:25:52 - Witness Blaz seated		
						3:26:30 -Jurors seated		
						3:27:00- Continued CX by Mr. Smith		
						3:29:10 - Re-DX by Ms. Johnson		
	11		1/11/00	6/11/08		Fraudulent ITIN letter given to Chu		
	15		6/11/08	6/11/08	6/11/08	objections	form; offered and admitted without	
		U-P		6/11/08		Guam Department of Revenue and 'Operating Procedure for Licensing	Taxation Motor Vehicle Division Standard Division	
	0.5		6/11/08	6/11/08	6/11/08	Pages 156, 157, 158 and 159 - Guar	m Department of Revenue and Taxation	
	85				0/11/08	Motor Vehicle Division Standard O	perating Procedure for Licensing Division	
						3:50:25 - Jurors excused		
						3:56:48 - Jurors seated		
	55			6/11/08		MVD file for - Sang C. Ryu		
<u> </u>	1			C/11/00		4:20:55- Re-CX by Mr. Mantanona		
<u> </u>	15	77.77		6/11/08		Department of Treasury-IRS-Blank	form	
		U-U		6/11/08		Assignment of ITIN Number 4:31:08 - Jurors excused for the day	raturn 6/12/08 by 0.45	
				<del> </del>		4:41:50 - End Day 3	- 1Ctuffi 0/12/00 by 0.43	
						9:08:06 - Begin Day 4 - June 12, 20	008	
				<del> </del>		9:09:24 - Witness Blaz seated	,,,,	
						9:10:40 - Jurors seated		
						9:11:50 - CX by Ms. Smith		
				1		9:13:54 - CX by Mr. Yanza		
	11			6/12/08		Fraudulent ITIN Letter given to Chi	un by Lee March 29, 2005	
	15			6/12/08		Department of Treasury-IRS-Blank		
						9:26:12 - CX by Ms. Lujan		
		U-P		6/12/08			Taxation Motor Vehicle Division Standard	
		156				Operating Procedure for Licensing		
		U-W					uirement for Driver's License / Assignment	
		- ''				of ITIN		
						9:36:40 - CX by Mr. Smith		
<u> </u>				ļ		9:41:28 - Witness Blaz excused	11 - d d	
<u> </u>						9:45:00 - Interpreter Kay Tompkins	caned and sworn	

FF		ES M. T		O-GATEW	OOD	PLAINTIFF'S ATTORNEY  KARON JOHNSON	DEFENDANT'S ATTORNEY RICHARD ARENS, MARK SMITH, CYNTHIA ECUBE, LEILANI LUJAN, LOUIE YANZA, STEPHANIE FLORES, RAWLEN MANTANONA COURTROOM DEPUTY		
HEAR		OATE (S	*	2 2000		COURT REPORTER			
		JUNE 9	9, 10, 11, 1	2, 2008	DATE	WANDA MILES	CARMEN B. SANTOS		
JOINT NO. PLTF DEF. DATE DATE ADMITTE DOTE DATE DATE DEF. NO. NO. OFFERED DATE DEFINITION DEFINITIO					ADMITTE		F EXHIBITS* AND WITNESSES		
						9:46:00 - Witness - Jae Hon Seok	called and sworn		
	36			6/12/08		MVD file for - Jae Hoan Seok			
	84			6/12/08		ITIN letter given to Jae Han Seok			
						10:38:14 - 10:59:04 - Jurors excuse	ed - 15 minute recess		
						11:02:42 - Jurors seated			
		_				11:04:00 - CX by Mr. Arens			
		Lee-A p5:9-				Plea Agreement, Criminal Case No	o. CR-06-00088-001, USA vs. Jae Hoan Seok		
						11:35:00 - Witness excused			
						11:37:00 - Witness Jesse Salas call	ed and sworn		
						DX by Ms. Johnson			
				6/12/08			ment of Revenue and Taxation, Administrator		
	1-20						lum from Department of Revenue and		
	to 1-					Taxation, Director Joseph T. Duen	Taxation, Director Joseph T. Duenas; 10/31/02 Memorandum from Department		
	24					of Revenue and Taxation Administ	trator Maria C. Flores; 7/16/04 Memorandum		
						from Department of Revenue and Taxation, Director Artemio B. Ilagan			
						12:01 - 1:31:40 - recess - Lunch break - jurors to return by 1:15; afternoon			
						session to resume at 1:30			
						1:31:40 - Witness Salas seated			
						1:32:50 - Jurors seated			
						1:33:00 - Continued DX by Ms. Jo			
	40-3			6/12/08		MVD file for Ok Sun Kim, pages 3	3 and 4		
						1:54:15 - CX by Mr. Mantanona			
	85			6/12/08		Motor Vehicle Division Standard (	Im Department of Revenue and Taxation Department of Revenue and Taxation Department of Revenue and Taxation		
	15			6/12/08		Department of Treasury-IRS_Blank	x form		
		U-U		6/12/08		Assignment of ITIN Number			
		U-W		6/12/08			quirement for Driver's License / Assignment		
		0 11				of ITIN			
	9-1			6/12/08		MVD File of Sang Mee Chun			
	1-23			6/12/08		Applicable Guam Statutes, Attorne			
		U-M		6/12/08			Taxation - Job Description for Driver's		
				6/12/08		License Examiner I	Taxation - Job Description for Driver's		
		U-O		0/12/08		License Examiner III	Taxadon - Job Description for Driver's		
				6/12/08			Taxation Motor Vehicle Division Standard		
		U-P		0/12/00		1 1	Division - Instruction Permit and Driver's		
		p.16				License Application - page 16	Division - Insuluction i clinit and Driver 8		
						2:40:20 - 2:55:02 - recess - jurors 6	excused		
						2:55:02 - Witness seated	Medical Control of the Control of th		
				<u> </u>		2:56:22- Jurors seated			
				1		2:56:35 - Continued CX by Mr. Ma	antanona		
		U-P		6/12/08			Taxation Motor Vehicle Division Standard		
		p.248				Operating Procedure for Licensing			
	15			6/12/08		Department of Treasury-IRS-Blank			
		U-Q	6/12/08	6/12/08	6/12/08		ee Mi Young - offered and admitted without		
		U-R	6/12/08	6/12/08	6/12/08		am Rang Lee - offered and admitted without		

	DING JU		YDINGC	O-GATEW	OOD	PLAINTIFF'S ATTORNEY  KARON JOHNSON	DEFENDANT'S ATTORNEY RICHARD ARENS, MARK SMITH, CYNTHIA ECUBE, LEILANI LUJAN, LOUIE YANZA, STEPHANIE
LIEAD	DIC D	A TELE (C	`			COLUMN DEPONMEN	FLORES, RAWLEN MANTANONA
HEAR		ATE (S	•			COURT REPORTER	COURTROOM DEPUTY
JUNE 9, 10, 11, 12, 2008						WANDA MILES	CARMEN B. SANTOS
JOINT NO.	PLTF NO.	DEF. NO.	DATE OFFERED	DATE IDENTIFIED	DATE ADMITTE D	DESCRIPTION (	OF EXHIBITS* AND WITNESSES
		U-T	6/12/08	6/12/08	6/12/08	Assignment of ITIN Number for I objection	Lee Mi Young - offered and admitted without
		U-L	6/12/08	6/12/08	6/12/08		cense (form) - offered and admitted without
		U-V	6/12/08	6/12/08	6/12/08	Department of Revenue and Taxas	tion Licensing Requirements
	1-1	<u> </u>	0,12,00	6/12/08	0/12/00	11 GCA § 1103	and zhonomy requirements
	1-2			6/12/08		11 GCA § 1103	
	1-3			6/12/08		11 GCA § 1104	
	1-4			6/12/08		11 GCA § 1106	
	1-5			6/12/08		11 GCA § 1107	
	1-6			6/1/08		<u> </u>	
	to 1-			0, 2, 0 0		11 GCA § 3101	
	13					0	
						3:30 - CX by Ms. Flores	
	15			6/12/08		Department of Treasury-IRS-Blan	ık form
	40-3			6/12/08		MVD file for Ok Sun Kim, page 3	
		U-U		6/12/08		Assignment of ITIN Number	
	56			6/12/08		MVD file for Jeong Min Ham	
	57			6/12/08		MVD file for Mi Jung Kim	
	58			6/12/08		MVD file for Jung Il Chae	
	59			6/12/08		MVD file for Haeng Hwa Lee	
	60			6/12/08		MVD file for Sang Ho Kim	
	61			6/12/08		MVD file for Dong Mi Kang	
	62			6/12/08		MVD file for Sung Hun Kang	
	J_					3:57:50 - CX by Mr. Yanza	
	40			6/12/08		MVD file for Ok Sun Kim	
	41			6/12/08		MVD file for Tong Hun Lee	
	42			6/12/08		MVD file for Tae Sung Choi	
	43			6/12/08		MVD file for Yu Suk Kang	
	44			6/12/08		MVD file for Yeong Beom Gim	
	45			6/12/08		MVD file for Ang Mi Choi	
						4:25:15 - Jurors excused -	
						4:25:55 - End Day 4	
				1			
				1			
				1			
							1
				<u> </u>			_
$\vdash$				<del> </del>			